

106TH CONGRESS  
1ST SESSION

# S. 976

To amend title V of the Public Health Service Act to focus the authority of the Substance Abuse and Mental Health Services Administration on community-based services for children and adolescents, to enhance flexibility and accountability, to establish programs for youth treatment, and to respond to crises, especially those related to children and violence.

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## IN THE SENATE OF THE UNITED STATES

MAY 6, 1999

Mr. FRIST (for himself, Mr. KENNEDY, Mr. JEFFORDS, Mr. DODD, Mr. DEWINE, Ms. MIKULSKI, and Ms. COLLINS) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

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## A BILL

To amend title V of the Public Health Service Act to focus the authority of the Substance Abuse and Mental Health Services Administration on community-based services for children and adolescents, to enhance flexibility and accountability, to establish programs for youth treatment, and to respond to crises, especially those related to children and violence.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

2 (a) SHORT TITLE.—This Act may be cited as the  
3 “Youth Drug and Mental Health Services Act”.

4 (b) TABLE OF CONTENTS.—The table of contents for  
5 this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—PROVISIONS RELATING TO SERVICES FOR CHILDREN  
AND ADOLESCENTS

Sec. 101. Children and violence.

Sec. 102. Mental health services for violence related stress.

Sec. 103. Emergency response.

Sec. 104. High risk youth reauthorization.

Sec. 105. Treatment for children and adolescents.

Sec. 106. Comprehensive community services for children with serious emo-  
tional disturbance.

Sec. 107. Services for children of substance abusers.

Sec. 108. General provisions.

TITLE II—PROVISIONS RELATING TO MENTAL HEALTH

Sec. 201. Priority mental health needs of regional and national significance.

Sec. 202. Reauthorization of grants for the benefit of homeless individuals.

Sec. 203. Projects for assistance in transition from homelessness.

Sec. 204. Community mental health services performance partnership block  
grant.

Sec. 205. Determination of allotment.

Sec. 206. Protection and Advocacy for Mentally Ill Individuals Act of 1986.

TITLE III—PROVISIONS RELATING TO SUBSTANCE ABUSE

Sec. 301. Priority substance abuse treatment needs of regional and national  
significance.

Sec. 302. Priority substance abuse prevention needs of regional and national  
significance.

Sec. 303. Substance abuse prevention and treatment performance partnership  
block grant.

Sec. 304. Determination of allotments.

TITLE IV—PROVISIONS RELATING TO FLEXIBILITY AND  
ACCOUNTABILITY

Sec. 401. General authorities and peer review.

Sec. 402. Advisory councils.

Sec. 403. General provisions for the performance partnership block grants.

Sec. 404. Data infrastructure projects.

Sec. 405. Repeal of obsolete addict referral provisions.

1 **TITLE I—PROVISIONS RELATING**  
2 **TO SERVICES FOR CHILDREN**  
3 **AND ADOLESCENTS**

4 **SEC. 101. CHILDREN AND VIOLENCE.**

5 Title V of the Public Health Service Act (42 U.S.C.  
6 290aa et seq.) is amended by adding at the end the fol-  
7 lowing:

8 “PART G—PROJECTS FOR CHILDREN AND VIOLENCE

9 **“SEC. 581. CHILDREN AND VIOLENCE.**

10 “(a) IN GENERAL.—The Secretary, in consultation  
11 with the Secretary of Education and the Attorney General,  
12 shall carry out directly or through grants, contracts or co-  
13 operative agreements with public entities a program to as-  
14 sist local communities in developing ways to assist children  
15 in dealing with violence.

16 “(b) ACTIVITIES.—Under the program under sub-  
17 section (a), the Secretary may—

18 “(1) provide financial support to enable local  
19 communities to implement programs to foster the  
20 health and development of children;

21 “(2) provide technical assistance to local com-  
22 munities with respect to the development of pro-  
23 grams described in paragraph (1);

1           “(3) provide assistance to local communities in  
2           the development of policies to address violence when  
3           and if it occurs; and

4           “(4) assist in the creation of community part-  
5           nerships among law enforcement, education systems  
6           and mental health and substance abuse service sys-  
7           tems.

8           “(c) REQUIREMENTS.—An application for a grant,  
9           contract or cooperative agreement under subsection (a)  
10          shall demonstrate that—

11           “(1) the applicant will use amounts received to  
12           create a partnership described in subsection (b)(4)  
13           to address issues of violence in schools;

14           “(2) the activities carried out by the applicant  
15           will provide a comprehensive method for addressing  
16           violence, that will include—

17           “(A) security;

18           “(B) educational reform;

19           “(C) the review and updating of school  
20           policies;

21           “(D) alcohol and drug abuse prevention  
22           and early intervention services;

23           “(E) mental health prevention and treat-  
24           ment services; and

1                   “(F) early childhood development and psy-  
2                   chosocial services; and

3                   “(3) the applicant with use amounts received  
4                   only for the services described in subparagraphs (D),  
5                   (E), and (F) of paragraph (2).

6                   “(d) GEOGRAPHICAL DISTRIBUTION.—The Secretary  
7                   shall ensure that grants, contracts or cooperative agree-  
8                   ments under subsection (a) will be distributed equitably  
9                   among the regions of the country and among urban and  
10                  rural areas.

11                  “(e) DURATION OF AWARDS.—With respect to a  
12                  grant, contract or cooperative agreement under subsection  
13                  (a), the period during which payments under such an  
14                  award will be made to the recipient may not exceed 5  
15                  years.

16                  “(f) EVALUATION.—The Secretary shall conduct an  
17                  evaluation of each project carried out under this section  
18                  and shall disseminate the results of such evaluations to  
19                  appropriate public and private entities.

20                  “(g) INFORMATION AND EDUCATION.—The Sec-  
21                  retary shall establish comprehensive information and edu-  
22                  cation programs to disseminate the findings of the knowl-  
23                  edge development and application under this section to the  
24                  general public and to health care professionals.

1 “(h) AUTHORIZATION OF APPROPRIATIONS.—There  
 2 is authorized to be appropriated to carry out this section,  
 3 \$100,000,000 for fiscal year 2000, and such sums as may  
 4 be necessary for each of fiscal years 2001 and 2002.”.

5 **SEC. 102. MENTAL HEALTH SERVICES FOR VIOLENCE RE-**  
 6 **LATED STRESS.**

7 Part G of title V of the Public Health Service Act  
 8 (as added by section 101) is amended by adding at the  
 9 end the following:

10 **“SEC. 582. GRANTS TO ADDRESS THE PROBLEMS OF PER-**  
 11 **SONS WHO EXPERIENCE VIOLENCE RELATED**  
 12 **STRESS.**

13 “(a) IN GENERAL.—The Secretary shall award  
 14 grants, contracts or cooperative agreements to public and  
 15 non-profit private entities, as well as to Indian tribes and  
 16 tribal organizations, for the purpose of establishing a na-  
 17 tional and regional centers of excellence on psychological  
 18 trauma response and for developing knowledge with re-  
 19 gard to evidence-based practices for treating psychiatric  
 20 disorders resulting from witnessing or experiencing such  
 21 stress.

22 “(b) PRIORITIES.—In awarding grants, contracts or  
 23 cooperative agreements under subsection (a) related to the  
 24 development of knowledge on evidence-based practices for  
 25 treating disorders associated with psychological trauma,

1 the Secretary shall give priority to programs that work  
2 with children, adolescents, adults, and families who are  
3 survivors and witnesses of domestic, school and commu-  
4 nity violence and terrorism.

5 “(c) GEOGRAPHICAL DISTRIBUTION.—The Secretary  
6 shall ensure that grants, contracts or cooperative agree-  
7 ments under subsection (a) with respect to centers of ex-  
8 cellence are distributed equitably among the regions of the  
9 country and among urban and rural areas.

10 “(d) EVALUATION.—The Secretary, as part of the  
11 application process, shall require that each applicant for  
12 a grant, contract or cooperative agreement under sub-  
13 section (a) submit a plan for the rigorous evaluation of  
14 the activities funded under the grant, contract or agree-  
15 ment, including both process and outcomes evaluation,  
16 and the submission of an evaluation at the end of the  
17 project period.

18 “(e) DURATION OF AWARDS.—With respect to a  
19 grant, contract or cooperative agreement under subsection  
20 (a), the period during which payments under such an  
21 award will be made to the recipient may not exceed 5  
22 years. Such grants, contracts or agreements may be re-  
23 newed.

24 “(f) AUTHORIZATION OF APPROPRIATIONS.—There  
25 is authorized to be appropriated to carry out this section,

1 \$50,000,000 for fiscal year 2000, and such sums as may  
 2 be necessary for each of fiscal years 2001 and 2002.”.

3 **SEC. 103. EMERGENCY RESPONSE.**

4 Section 501 of the Public Health Service Act (42  
 5 U.S.C. 290aa) is amended—

6 (1) by redesignating subsection (m) as sub-  
 7 section (o);

8 (2) by inserting after subsection (l) the fol-  
 9 lowing:

10 “(m) EMERGENCY RESPONSE.—

11 “(1) IN GENERAL.—Notwithstanding section  
 12 504 and except as provided in paragraph (2), the  
 13 Secretary may use not to exceed 3 percent of all  
 14 amounts appropriated under this title for a fiscal  
 15 year to make noncompetitive grants, contracts or co-  
 16 operative agreements to public entities to enable  
 17 such entities to address emergency substance abuse  
 18 or mental health needs in local communities.

19 “(2) EXCEPTIONS.—Amounts appropriated  
 20 under part C shall not be subject to paragraph (1).

21 “(3) EMERGENCIES.—The Secretary shall es-  
 22 tablish criteria for determining that a substance  
 23 abuse or mental health emergency exists and publish  
 24 such criteria in the Federal Register prior to pro-  
 25 viding funds under this subsection.”; and



1           (3) in subsection (o) (as so redesignated), by  
2       striking “1993” and all that follows through the pe-  
3       riod and inserting “2000, and such sums as may be  
4       necessary for each of the fiscal years 2001 and  
5       2002.”.

6   **SEC. 104. HIGH RISK YOUTH REAUTHORIZATION.**

7       Section 517(h) of the Public Health Service Act (42  
8   U.S.C. 290bb–23(h)) is amended by striking  
9   “\$70,000,000” and all that follows through “1994” and  
10   inserting “such sums as may be necessary for each of the  
11   fiscal years 2000 through 2002”.

12   **SEC. 105. TREATMENT FOR CHILDREN AND ADOLESCENTS.**

13       Section 509 of the Public Health Service Act (42  
14   U.S.C. 290bb–2) is amended to read as follows:

15   **“SEC. 509. TREATMENT FOR CHILDREN AND ADOLESCENTS.**

16       “(a) IN GENERAL.—The Secretary shall carry out,  
17   directly or through grants, contracts or cooperative agree-  
18   ments to public and non-profit private entities, including  
19   Indian tribes and tribal organizations, projects to provide  
20   substance abuse and mental health treatment for children  
21   and adolescents.

22       “(b) PRIORITY.—In making grants, contracts or co-  
23   operative agreements under subsection (a), the Secretary  
24   shall give priority to projects that focus only on children  
25   and adolescents and that incorporate evidence-based prac-

1 tices in the prevention and treatment of mental health and  
2 substance abuse disorders.

3 “(c) GEOGRAPHICAL DISTRIBUTION.—The Secretary  
4 shall ensure that grants, contracts or cooperative agree-  
5 ments under subsection (a) will be distributed equitably  
6 among the regions of the country and among urban and  
7 rural areas.

8 “(d) DURATION OF AWARDS.—With respect to a  
9 grant, contract or cooperative agreement under subsection  
10 (a), the period during which payments under such an  
11 award will be made to the recipient may not exceed 5  
12 years.

13 “(e) EVALUATION.—The Secretary shall conduct an  
14 evaluation of each project carried out under this section.

15 “(f) INFORMATION AND EDUCATION.—The Secretary  
16 shall establish comprehensive information and education  
17 programs to disseminate the findings of the knowledge de-  
18 velopment and application under this section to the gen-  
19 eral public and to health professionals.

20 “(g) AUTHORIZATION OF APPROPRIATIONS.—There  
21 is authorized to be appropriated to carry out this section,  
22 such sums as may be necessary for each of fiscal years  
23 2000 through 2002.”.

1 **SEC. 106. COMPREHENSIVE COMMUNITY SERVICES FOR**  
2 **CHILDREN WITH SERIOUS EMOTIONAL DIS-**  
3 **TURBANCE.**

4 (a) MATCHING FUNDS.—Section 561(c)(1)(D) of the  
5 Public Health Service Act (42 U.S.C. 290ff(c)(1)(D)) is  
6 amended by striking “fifth” and inserting “fifth and  
7 sixth”.

8 (b) FLEXIBILITY FOR INDIAN TRIBES AND TERRI-  
9 TORIES.—Section 562 of the Public Health Service Act  
10 (42 U.S.C. 290ff–1) is amended by adding at the end the  
11 following:

12 “(g) WAIVERS.—The Secretary may waive 1 or more  
13 of the requirements of subsection (c) for a public entity  
14 that is an Indian Tribe or tribal organization, or American  
15 Samoa, Guam, the Marshall Islands, the Federated States  
16 of Micronesia, the Commonwealth of the Northern Mar-  
17 iana Islands, the Republic of Palau, or the United States  
18 Virgin Islands if the Secretary determines, after peer re-  
19 view, that the system of care is family-centered and uses  
20 the least restrictive environment that is clinically appro-  
21 priate.”.

22 (c) DURATION OF GRANTS.—Section 565(a) of the  
23 Public Health Service Act (42 U.S.C. 290ff–4(a)) is  
24 amended by striking “5 fiscal” and inserting “6 fiscal”.

25 (d) AUTHORIZATION OF APPROPRIATIONS.—Section  
26 565(f)(1) of the Public Health Service Act (42 U.S.C.

1 290ff–4(f)(1)) is amended by striking “1993” and all that  
 2 follows and inserting “2000, and such sums as may be  
 3 necessary for each of the fiscal years 2001 and 2002.”.

4 (e) CURRENT GRANTEES.—

5 (1) IN GENERAL.—Entities with active grants  
 6 under section 561 of the Public Health Service Act  
 7 (42 U.S.C. 290ff) on the date of enactment of this  
 8 Act shall be eligible to receive a 6th year of funding  
 9 under the grant in an amount not to exceed the  
 10 amount that such grantee received in the 5th year  
 11 of funding under such grant. Such 6th year may be  
 12 funded without requiring peer and Advisory Council  
 13 review as required under section 504 of such Act (42  
 14 U.S.C. 290aa–3).

15 (2) LIMITATION.—Paragraph (1) shall apply  
 16 with respect to a grantee only if the grantee agrees  
 17 to comply with the provisions of section 561 as  
 18 amended by subsection (a).

19 **SEC. 107. SERVICES FOR CHILDREN OF SUBSTANCE ABUS-**  
 20 **ERS.**

21 (a) ADMINISTRATION AND ACTIVITIES.—

22 (1) ADMINISTRATION.—Section 399D(a) of the  
 23 Public Health Service Act (42 U.S.C. 280d(a)(1)) is  
 24 amended—

(A) in paragraph (1), by striking “Administrator” and all that follows through “Administration” and insert “Administrator of the Substance Abuse and Mental Health Services Administration”; and

(B) in paragraph (2), by striking “Administrator of the Substance Abuse and Mental Health Services Administration” and inserting “Administrator of the Health Resources and Services Administration”.

(2) ACTIVITIES.—Section 399D(a)(1) of the Public Health Service Act (42 U.S.C. 280d(a)(1)) is amended—

(A) in subparagraph (B), by striking “and” at the end;

(B) in subparagraph (C), by striking the period and inserting the following: “through youth service agencies, family social services, child care providers, Head Start, schools and after-school programs, early childhood development programs, community-based family resource and support centers, the criminal justice system, health, substance abuse and mental health providers through screenings conducted during regular childhood examinations and

other examinations, self and family member referrals, substance abuse treatment services, and other providers of services to children and families; and”; and

(C) by adding at the end the following:

“(D) to provide education and training to health, substance abuse and mental health professionals, and other providers of services to children and families through youth service agencies, family social services, child care, Head Start, schools and after-school programs, early childhood development programs, community-based family resource and support centers, the criminal justice system, and other providers of services to children and families.”.

(3) IDENTIFICATION OF CERTAIN CHILDREN.—

Section 399D(a)(3)(A) of the Public Health Service Act (42 U.S.C. 280d(a)(3)(A)) is amended—

(A) in clause (i), by striking “(i) the entity” and inserting “(i)(I) the entity”;

(B) in clause (ii)—

(i) by striking “(ii) the entity” and inserting “(II) the entity”; and

(ii) by striking the period and inserting “; and”; and

1 (C) by adding at the end the following:

2 “(ii) the entity will identify children  
3 who may be eligible for medical assistance  
4 under a State program under title XIX or  
5 XXI of the Social Security Act.”.

6 (b) SERVICES FOR CHILDREN.—Section 399D(b) of  
7 the Public Health Service Act (42 U.S.C. 280d(b)) is  
8 amended—

9 (1) in paragraph (1), by inserting “alcohol and  
10 drug,” after “psychological,”;

11 (2) by striking paragraph (5) and inserting the  
12 following:

13 “(5) Developmentally and age-appropriate drug  
14 and alcohol early intervention, treatment and pre-  
15 vention services.”; and

16 (3) by inserting after paragraph (8), the fol-  
17 lowing:

18 “Services shall be provided under paragraphs (2) through  
19 (8) by a public health nurse, social worker, or similar pro-  
20 fessional, or by a trained worker from the community who  
21 is supervised by a professional, or by an entity, where the  
22 professional or entity provides assurances that the profes-  
23 sional or entity is licensed or certified by the State if re-  
24 quired and is complying with applicable licensure or cer-  
25 tification requirements.”.

1       (c) SERVICES FOR AFFECTED FAMILIES.—Section  
 2 399D(c) of the Public Health Service Act (42 U.S.C.  
 3 280d(c)) is amended—

4           (1) in paragraph (1)—

5               (A) in the matter preceding subparagraph

6           (A), by inserting before the colon the following:

7           “, or by an entity, where the professional or en-

8           tity provides assurances that the professional or

9           entity is licensed or certified by the State if re-

10          quired and is complying with applicable licen-

11          sure or certification requirements”; and

12               (B) by adding at the end the following:

13           “(D) Aggressive outreach to family mem-

14          bers with substance abuse problems.

15               (E) Inclusion of consumer in the develop-

16          ment, implementation, and monitoring of Fam-

17          ily Services Plan.”;

18           (2) in paragraph (2)—

19               (A) by striking subparagraph (A) and in-

20          serting the following:

21           “(A) Alcohol and drug treatment services,

22          including screening and assessment, diagnosis,

23          detoxification, individual, group and family

24          counseling,                   relapse                   prevention,



1 pharmacotherapy treatment, after-care services,  
2 and case management.”;

3 (B) in subparagraph (C), by striking “, in-  
4 cluding educational and career planning” and  
5 inserting “and counseling on the human im-  
6 munodeficiency virus and acquired immune de-  
7 ficiency syndrome”;

8 (C) in subparagraph (D), by striking “con-  
9 flict and”; and

10 (D) in subparagraph (E), by striking “Re-  
11 medial” and inserting “Career planning and”;  
12 and

13 (3) in paragraph (3)(D), by inserting “which  
14 include child abuse and neglect prevention tech-  
15 niques” before the period.

16 (d) ELIGIBLE ENTITIES.—Section 399D(d) of the  
17 Public Health Service Act (42 U.S.C. 280d(d)) is  
18 amended—

19 (1) by striking the matter preceding paragraph  
20 (1) and inserting:

21 “(d) ELIGIBLE ENTITIES.—The Secretary shall dis-  
22 tribute the grants through the following types of entities.”;

23 (2) in paragraph (1), by striking “drug treat-  
24 ment” and inserting “drug early intervention, pre-  
25 vention or treatment; and

1 (3) in paragraph (2)—

2 (A) in subparagraph (A), by striking “;  
3 and” and inserting “; or”; and

4 (B) in subparagraph (B), by inserting “or  
5 pediatric health or mental health providers and  
6 family mental health providers” before the pe-  
7 riod.

8 (e) SUBMISSION OF INFORMATION.—Section  
9 399D(h) of the Public Health Service Act (42 U.S.C.  
10 280d(h)) is amended—

11 (1) in paragraph (2)—

12 (A) by inserting “including maternal and  
13 child health” before “mental”;

14 (B) by striking “treatment programs”; and

15 (C) by striking “and the State agency re-  
16 sponsible for administering public maternal and  
17 child health services” and inserting “, the State  
18 agency responsible for administering alcohol  
19 and drug programs, the State lead agency, and  
20 the State Interagency Coordinating Council  
21 under part H of the Individuals with Disabil-  
22 ities Education Act; and”; and

23 (2) by striking paragraph (3) and redesignating  
24 paragraph (4) as paragraph (3).

1 (f) REPORTS TO THE SECRETARY.—Section  
2 399D(i)(6) of the Public Health Service Act (42 U.S.C.  
3 280d(i)(6)) is amended—

4 (1) in subparagraph (B), by adding “and” at  
5 the end; and

6 (2) by striking subparagraphs (C), (D), and (E)  
7 and inserting the following:

8 “(C) the number of case workers or other  
9 professionals trained to identify and address  
10 substance abuse issues.”.

11 (g) EVALUATIONS.—Section 399D(l) of the Public  
12 Health Service Act (42 U.S.C. 280d(l)) is amended—

13 (1) in paragraph (3), by adding “and” at the  
14 end;

15 (2) in paragraph (4), by striking the semicolon  
16 and inserting the following: “, including increased  
17 participation in work or employment-related activi-  
18 ties and decreased participation in welfare pro-  
19 grams.”; and

20 (3) by striking paragraphs (5) and (6).

21 (h) REPORT TO CONGRESS.—Section 399D(m) of the  
22 Public Health Service Act (42 U.S.C. 280d(m)) is  
23 amended—

24 (1) in paragraph (2), by adding “and” at the  
25 end;

1 (2) in paragraph (3)—

2 (A) in subparagraph (A), by adding “and”  
3 at the end;

4 (B) in subparagraph (B), by striking the  
5 semicolon and inserting a period; and

6 (C) by striking subparagraphs (C), (D),  
7 and (E); and

8 (3) by striking paragraphs (4) and (5).

9 (i) DATA COLLECTION.—Section 399D(n) of the  
10 Public Health Service Act (42 U.S.C. 280d(n)) is amend-  
11 ed by adding at the end the following: “The periodic report  
12 shall include a quantitative estimate of the prevalence of  
13 alcohol and drug problems in families involved in the child  
14 welfare system, the barriers to treatment and prevention  
15 services facing these families, and policy recommendations  
16 for removing the identified barriers, including training for  
17 child welfare workers.”.

18 (j) DEFINITION.—Section 399D(o)(2)(B) of the Pub-  
19 lic Health Service Act (42 U.S.C. 280d(o)(2)(B)) is  
20 amended by striking “dangerous”.

21 (k) AUTHORIZATION OF APPROPRIATIONS.—Section  
22 399D(p) of the Public Health Service Act (42 U.S.C.  
23 280d(p)) is amended to read as follows:

24 “(p) AUTHORIZATION OF APPROPRIATIONS.—For the  
25 purpose of carrying out this section, there are authorized

1 to be appropriated \$50,000,000 for fiscal year 2000, and  
 2 such sums as may be necessary for each of fiscal years  
 3 2001 and 2002.”.

4 (l) GRANTS FOR TRAINING AND CONFORMING  
 5 AMENDMENTS.—Section 399D of the Public Health Serv-  
 6 ice Act (42 U.S.C. 280d) is amended—

7 (1) by striking subsection (f);

8 (2) by striking subsection (k);

9 (3) by redesignating subsections (d), (e), (g),  
 10 (h), (i), (j), (l), (m), (n), (o), and (p) as subsections  
 11 (e) through (o), respectively;

12 (4) by inserting after subsection (c), the fol-  
 13 lowing:

14 “(d) TRAINING FOR PROVIDERS OF SERVICES TO  
 15 CHILDREN AND FAMILIES.—The Secretary may make a  
 16 grant under subsection (a) for the training of health, sub-  
 17 stance abuse and mental health professionals and other  
 18 providers of services to children and families through  
 19 youth service agencies, family social services, child care  
 20 providers, Head Start, schools and after-school programs,  
 21 early childhood development programs, community-based  
 22 family resource centers, the criminal justice system, and  
 23 other providers of services to children and families. Such  
 24 training shall be to assist professionals in recognizing the  
 25 drug and alcohol problems of their clients and to enhance

1 their skills in identifying and understanding the nature of  
 2 substance abuse, and obtaining substance abuse early  
 3 intervention, prevention and treatment resources.”;

4 (5) in subsection (k)(2) (as so redesignated), by  
 5 striking “(h)” and inserting “(i)”; and

6 (6) in paragraphs (3)(E) and (5) of subsection  
 7 (m) (as so redesignated), by striking “(d)” and in-  
 8 serting “(e)”.

9 **SEC. 108. GENERAL PROVISIONS.**

10 (a) DUTIES OF THE CENTER FOR SUBSTANCE ABUSE  
 11 TREATMENT.—Section 507(b) of the Public Health Serv-  
 12 ice Act (42 U.S.C. 290bb(b)) is amended—

13 (1) by redesignating paragraphs (2) through  
 14 (12) as paragraphs (3) through (13), respectively;  
 15 and

16 (2) by inserting after paragraph (1), the fol-  
 17 lowing:

18 “(2) ensure that emphasis is placed on children  
 19 and adolescents in the development of treatment  
 20 programs;”.

21 (b) DUTIES OF THE OFFICE FOR SUBSTANCE ABUSE  
 22 PREVENTION.—Section 515(b)(9) of the Public Health  
 23 Service Act (42 U.S.C. 290bb–2(b)(9)) is amended by  
 24 striking “public concerning” and inserting “public, espe-  
 25 cially adolescent audiences, concerning”.

1 (c) DUTIES OF THE CENTER FOR MENTAL HEALTH  
 2 SERVICES.—Section 520(b) of the Public Health Service  
 3 Act (42 U.S.C. 290bb–3(b)) is amended—

4 (1) by redesignating paragraphs (3) through  
 5 (14) as paragraphs (4) through (15), respectively;  
 6 and

7 (2) by inserting after paragraph (2), the fol-  
 8 lowing:

9 “(3) collaborate with the Department of Edu-  
 10 cation and the Department of Justice to develop  
 11 programs to assist local communities in addressing  
 12 violence among children and adolescents;”.

## 13 **TITLE II—PROVISIONS** 14 **RELATING TO MENTAL HEALTH**

### 15 **SEC. 201. PRIORITY MENTAL HEALTH NEEDS OF REGIONAL** 16 **AND NATIONAL SIGNIFICANCE.**

17 (a) IN GENERAL.—Section 520A of the Public  
 18 Health Service Act (42 U.S.C. 290bb–32) is amended to  
 19 read as follows:

### 20 **“SEC. 520A. PRIORITY MENTAL HEALTH NEEDS OF RE-** 21 **GIONAL AND NATIONAL SIGNIFICANCE.**

22 “(a) PROJECTS.—The Secretary shall address pri-  
 23 ority mental health needs of regional and national signifi-  
 24 cance (as determined under subsection (b)) through the  
 25 provision of or through assistance for—

1           “(1) knowledge development and application  
2           projects for prevention, treatment, and rehabilita-  
3           tion, and the conduct or support of evaluations of  
4           such projects;

5           “(2) training and technical assistance pro-  
6           grams;

7           “(3) targeted capacity response programs; and

8           “(4) systems change grants including statewide  
9           family network grants and client-oriented and con-  
10          sumer run self-help activities.

11       The Secretary may carry out the activities described in  
12       this subsection directly or through grants, contracts, or  
13       cooperative agreements with States, political subdivisions  
14       of States, Indian tribes and tribal organizations, other  
15       public or private nonprofit entities.

16       “(b) PRIORITY MENTAL HEALTH NEEDS.—Priority  
17       mental health needs of regional and national significance  
18       shall be determined by the Secretary in consultation with  
19       States and other interested groups. The Secretary shall  
20       meet with the States and interested groups on an annual  
21       basis to discuss program priorities.

22       “(c) REQUIREMENTS.—

23           “(1) IN GENERAL.—Recipients of grants, con-  
24           tracts, and cooperative agreements under this sec-  
25           tion shall comply with information and application



1 requirements determined appropriate by the Sec-  
2 retary.

3 “(2) DURATION OF AWARD.—With respect to a  
4 grant, contract, or cooperative agreement awarded  
5 under this section, the period during which pay-  
6 ments under such award are made to the recipient  
7 may not exceed 5 years.

8 “(3) MATCHING FUNDS.—The Secretary may,  
9 for projects carried out under subsection (a), require  
10 that entities that apply for grants, contracts, or co-  
11 operative agreements under this section provide non-  
12 Federal matching funds, as determined appropriate  
13 by the Secretary, to ensure the institutional commit-  
14 ment of the entity to the projects funded under the  
15 grant, contract, or cooperative agreement. Such non-  
16 Federal matching funds may be provided directly or  
17 through donations from public or private entities  
18 and may be in cash or in kind, fairly evaluated, in-  
19 cluding plant, equipment, or services.

20 “(4) MAINTENANCE OF EFFORT.—With respect  
21 to activities for which a grant, contract or coopera-  
22 tive agreement is awarded under this section, the  
23 Secretary may require that recipients for specific  
24 projects under subsection (a) agree to maintain ex-  
25 penditures of non-Federal amounts for such activi-

1       ties at a level that is not less than the level of such  
2       expenditures maintained by the entity for the fiscal  
3       year preceding the fiscal year for which the entity  
4       receives such a grant, contract, or cooperative agree-  
5       ment.

6       “(d) EVALUATION.—The Secretary shall evaluate  
7       each project carried out under subsection (a)(1) and shall  
8       disseminate the findings with respect to each such evalua-  
9       tion to appropriate public and private entities.

10       “(e) INFORMATION AND EDUCATION.—The Secretary  
11       shall establish information and education programs to dis-  
12       seminate and apply the findings of the knowledge develop-  
13       ment and application, training, and technical assistance  
14       programs, and targeted capacity response programs,  
15       under this section to the general public, to health care pro-  
16       fessionals, and to interested groups. The Secretary shall  
17       make every effort to provide linkages between the findings  
18       of supported projects and State agencies responsible for  
19       carrying out mental health services.

20       “(f) AUTHORIZATION OF APPROPRIATION.—

21               “(1) IN GENERAL.—There are authorized to be  
22       appropriated to carry out this section, \$300,000,000  
23       for fiscal year 2000, and such sums as may be nec-  
24       essary for each of the fiscal years 2001 and 2002.

1           “(2) DATA INFRASTRUCTURE.—If amounts are  
 2       not appropriated for a fiscal year to carry out sec-  
 3       tion 1971 with respect to mental health, then the  
 4       Secretary shall make available, from the amounts  
 5       appropriated for such fiscal year under paragraph  
 6       (1), an amount equal to the sum of \$6,000,000 and  
 7       10 percent of all amounts appropriated for such fis-  
 8       cal year under such paragraph in excess of  
 9       \$100,000,000, to carry out such section 1971.”.

10       (b) CONFORMING AMENDMENTS.—

11           (1) Section 303 of the Public Health Service  
 12       Act (42 U.S.C. 242a) is repealed.

13           (2) Section 520B of the Public Health Service  
 14       Act (42 U.S.C. 290bb–33) is repealed.

15           (3) Section 612 of the Stewart B. McKinney  
 16       Homeless Assistance Act (42 U.S.C. 290aa–3 note)  
 17       is repealed.

18       **SEC. 202. REAUTHORIZATION OF GRANTS FOR THE BEN-**

19                       **EFIT OF HOMELESS INDIVIDUALS.**

20       Section 506(e) of the Public Health Service Act (42  
 21       U.S.C. 290aa–5(e)) is amended by striking “for fiscal year  
 22       1994” and inserting “for each of fiscal years 1994  
 23       through 2002”.

1 **SEC. 203. PROJECTS FOR ASSISTANCE IN TRANSITION**  
 2 **FROM HOMELESSNESS.**

3 (a) **WAIVERS FOR TERRITORIES.**—Section 522 of the  
 4 Public Health Service Act (42 U.S.C. 290cc–22) is amend-  
 5 ed by adding at the end the following:

6 “(i) **WAIVER FOR TERRITORIES.**—With respect to the  
 7 United States Virgin Islands, Guam, American Samoa,  
 8 Palau, the Marshall Islands, and the Commonwealth of  
 9 the Northern Mariana Islands, the Secretary may waive  
 10 the provisions of this part that the Secretary determines  
 11 to be appropriate.”.

12 (b) **AUTHORIZATION OF APPROPRIATION.**—Section  
 13 535(a) of the Public Health Service Act (42 U.S.C.  
 14 290cc–35(a)) is amended by striking “1991 through  
 15 1994” and inserting “2000 through 2002”.

16 **SEC. 204. COMMUNITY MENTAL HEALTH SERVICES PER-**  
 17 **FORMANCE PARTNERSHIP BLOCK GRANT.**

18 (a) **CRITERIA FOR PLAN.**—Section 1912(b) of the  
 19 Public Health Service Act (42 U.S.C. 300x–2(b)) is  
 20 amended by striking paragraphs (1) through (12) and in-  
 21 serting the following:

22 “(1) **COMPREHENSIVE COMMUNITY-BASED MEN-**  
 23 **TAL HEALTH SYSTEMS.**—The plan provides for an  
 24 organized community-based system of care for indi-  
 25 viduals with mental illness and describes available  
 26 services and resources in a comprehensive system of

1 care, including services for dually diagnosed individ-  
2 uals. The description of the system of care shall in-  
3 clude health and mental health services, rehabilita-  
4 tion services, employment services, housing services,  
5 educational services, substance abuse services, med-  
6 ical and dental care, and other support services to  
7 be provided to individuals with Federal, State and  
8 local public and private resources to enable such in-  
9 dividuals to function outside of inpatient or residen-  
10 tial institutions to the maximum extent of their ca-  
11 pabilities, including services to be provided by local  
12 school systems under the Individuals with Disabil-  
13 ities Education Act. The plan shall include a sepa-  
14 rate description of case management services and  
15 provide for activities leading to reduction of hos-  
16 pitalization.

17 “(2) MENTAL HEALTH SYSTEM DATA AND EPI-  
18 DEMIOLOGY.—The plan contains an estimate of the  
19 incidence and prevalence in the State of serious  
20 mental illness among adults and serious emotional  
21 disturbance among children and presents quan-  
22 titative targets to be achieved in the implementation  
23 of the system described in paragraph (1).

1           “(3) CHILDREN’S SERVICES.—In the case of  
2 children with serious emotional disturbance, the  
3 plan—

4           “(A) subject to subparagraph (B), provides  
5 for a system of integrated social services, edu-  
6 cational services, juvenile services, and sub-  
7 stance abuse services that, together with health  
8 and mental health services, will be provided in  
9 order for such children to receive care appro-  
10 priate for their multiple needs (such system to  
11 include services provided under the Individuals  
12 with Disabilities Education Act);

13           “(B) provides that the grant under section  
14 1911 for the fiscal year involved will not be ex-  
15 pended to provide any service under such sys-  
16 tem other than comprehensive community men-  
17 tal health services; and

18           “(C) provides for the establishment of a  
19 defined geographic area for the provision of the  
20 services of such system.

21           “(4) TARGETED SERVICES TO RURAL AND  
22 HOMELESS POPULATIONS.—The plan describes the  
23 State’s outreach to and services for individuals who  
24 are homeless and how community-based services will  
25 be provided to individuals residing in rural areas.

1           “(5) MANAGEMENT SYSTEMS.—The plan de-  
 2       scribes the financial resources, staffing and training  
 3       for mental health providers that is necessary to im-  
 4       plement the plan, and provides for the training of  
 5       providers of emergency health services regarding  
 6       mental health. The plan further describes the man-  
 7       ner in which the State intends to expend the grant  
 8       under section 1911 for the fiscal year involved.

9       Except as provided for in paragraph (3), the State plan  
 10      shall contain the information required under this sub-  
 11      section with respect to both adults with serious mental ill-  
 12      ness and children with serious emotional disturbance.”.

13       (b) REVIEW OF PLANNING COUNCIL OF STATE’S RE-  
 14      PORT.—Section 1915(a) of the Public Health Service Act  
 15      (42 U.S.C. 300x–4(a)) is amended—

16           (1) in paragraph (1), by inserting “and the re-  
 17       port of the State under section 1942(a) concerning  
 18       the preceding fiscal year” after “to the grant”; and

19           (2) in paragraph (2), by inserting before the pe-  
 20       riod “and any comments concerning the annual re-  
 21       port”.

22       (c) MAINTENANCE OF EFFORT.—Section 1915(b) of  
 23      the Public Health Service Act (42 U.S.C. 300x–4(b)) is  
 24      amended—

1           (1) by redesignating paragraphs (2) and (3) as  
2           paragraphs (3) and (4), respectively; and

3           (2) by inserting after paragraph (1), the fol-  
4           lowing:

5           “(2) EXCLUSION OF CERTAIN FUNDS.—The  
6           Secretary may exclude from the aggregate State ex-  
7           penditures under subsection (a), funds appropriated  
8           to the principle agency for authorized activities  
9           which are of a non-recurring nature and for a spe-  
10          cific purpose.”.

11          (d) APPLICATION FOR GRANTS.—Section 1917(a)(1)  
12          of the Public Health Service Act (42 U.S.C. 300x-6(a)(1))  
13          is amended to read as follows:

14               “(1) the plan is received by the Secretary not  
15          later than September 1 of the fiscal year prior to the  
16          fiscal year for which a State is seeking funds, and  
17          the report from the previous fiscal year as required  
18          under section 1941 is received by December 1 of the  
19          fiscal year of the grant;”.

20          (e) WAIVERS FOR TERRITORIES.—Section 1917(b) of  
21          the Public Health Service Act (42 U.S.C. 300x-6(b)) is  
22          amended by striking “whose allotment under section 1911  
23          for the fiscal year is the amount specified in section  
24          1918(c)(2)(B)” and inserting in its place “except Puerto  
25          Rico”.



1 (f) AUTHORIZATION OF APPROPRIATION.—Section  
 2 1920 of the Public Health Service Act (42 U.S.C. 300x–  
 3 9) is amended—

4 (1) in subsection (a), by striking  
 5 “\$450,000,000” and all that follows through the end  
 6 and inserting “\$450,000,000 for fiscal year 2000,  
 7 and such sums as may be necessary for each of the  
 8 fiscal years 2001 and 2002.”; and

9 (2) in subsection (b)(2), by striking “section  
 10 505” and inserting “sections 505 and 1971”.

11 **SEC. 205. DETERMINATION OF ALLOTMENT.**

12 Section 1918(b) of the Public Health Service Act (42  
 13 U.S.C. 300x–7(b)) is amended to read as follows:

14 “(b) MINIMUM ALLOTMENTS FOR STATES.—With re-  
 15 spect to fiscal year 2000, and subsequent fiscal years, the  
 16 amount of the allotment of a State under section 1911  
 17 shall not be less than the amount the State received under  
 18 such section for fiscal year 1998.”.

19 **SEC. 206. PROTECTION AND ADVOCACY FOR MENTALLY ILL**  
 20 **INDIVIDUALS ACT OF 1986.**

21 (a) SHORT TITLE.—The first section of the Protec-  
 22 tion and Advocacy for Mentally Ill Individuals Act of 1986  
 23 (Public Law 99–319) is amended to read as follows:

1 **“SECTION 1. SHORT TITLE.**

2 “This Act may be cited as the ‘Protection and Advo-  
3 cacy for Individuals with Mental Illness Act’.”.

4 (b) DEFINITIONS.—Section 102 of the Protection  
5 and Advocacy for Individuals with Mental Illness Act (as  
6 amended by subsection (a)) (42 U.S.C. 10802) is  
7 amended—

8 (1) in paragraph (4)—

9 (A) in the matter preceding subparagraph  
10 (A), by inserting “, except as provided in sec-  
11 tion 104(d),” after “means”;

12 (B) in subparagraph (B)—

13 (i) by striking “(i)” who” and insert-  
14 ing “(i)(I) who”;

15 (ii) by redesignating clauses (ii) and  
16 (iii) as subclauses (II) and (III);

17 (iii) in subclause (III) (as so redesign-  
18 nated), by striking the period and inserting  
19 “; or”; and

20 (iv) by adding at the end the fol-  
21 lowing:

22 “(ii) who satisfies the requirements of sub-  
23 paragraph (A) and lives in a community set-  
24 ting, including their own home.”; and

25 (2) by adding at the end the following:

1           “(8) The term ‘American Indian consortium’  
 2           means a consortium established under part C of the  
 3           Developmental Disabilities Assistance and Bill of  
 4           Rights Act (42 U.S.C. 6042 et seq.).”.

5           (c) USE OF ALLOTMENTS.—Section 104 of the Pro-  
 6           tection and Advocacy for Individuals with Mental Illness  
 7           Act (as amended by subsection (a)) (42 U.S.C. 10804)  
 8           is amended by adding at the end the following:

9           “(d) The definition of ‘individual with a mental ill-  
 10          ness’ contained in section 102(4)(B)(iii) shall apply, and  
 11          thus an eligible system may use its allotment under this  
 12          title to provide representation to such individuals, only if  
 13          the total allotment under this title for any fiscal year is  
 14          \$30,000,000 or more, and in such case, an eligible system  
 15          must give priority to representing persons with mental ill-  
 16          ness as defined in subparagraphs (A) and (B)(i) of section  
 17          102(4).”.

18          (d) MINIMUM AMOUNT.—Paragraph (2) of section  
 19          112(a) of the Protection and Advocacy for Individuals  
 20          with Mental Illness Act (as amended by subsection (a))  
 21          (42 U.S.C. 10822(a)(2)) is amended to read as follows:

22                 “(2)(A) The minimum amount of the allotment  
 23                 of an eligible system shall be the product (rounded  
 24                 to the nearest \$100) of the appropriate base amount

1       determined under subparagraph (B) and the factor  
2       specified in subparagraph (C).

3               “(B) For purposes of subparagraph (A), the  
4       appropriate base amount—

5               “(i) for American Samoa, Guam, the Mar-  
6       shall Islands, the Federated States of Micro-  
7       nesia, the Commonwealth of the Northern Mar-  
8       iana Islands, the Republic of Palau, and the  
9       Virgin Islands, is \$139,300; and

10              “(ii) for any other State, is \$260,000.

11             “(C) The factor specified in this subparagraph  
12       is the ratio of the amount appropriated under sec-  
13       tion 117 for the fiscal year for which the allotment  
14       is being made to the amount appropriated under  
15       such section for fiscal year 1995.

16             “(D) If the total amount appropriated for a fis-  
17       cal year is at least \$25,000,000, the Secretary shall  
18       make an allotment in accordance with subparagraph  
19       (A) to the eligible system serving the American In-  
20       dian consortium.”.

21       (e) TECHNICAL AMENDMENTS.—Section 112(a) of  
22       the Protection and Advocacy for Individuals with Mental  
23       Illness Act (as amended by subsection (a)) (42 U.S.C.  
24       10822(a)) is amended—

1           (1) in paragraph (1)(B), by striking “Trust  
 2       Territory of the Pacific Islands” and inserting  
 3       “Marshall Islands, the Federated States of Micro-  
 4       nesia, the Republic of Palau”; and  
 5           (2) by striking paragraph (3).

6           (f) REAUTHORIZATION.—Section 117 of the Protec-  
 7       tion and Advocacy for Individuals with Mental Illness Act  
 8       (as amended by subsection (a)) (42 U.S.C. 10827) is  
 9       amended by striking “1995” and inserting “2002”.

## 10   **TITLE III—PROVISIONS RELAT-** 11       **ING TO SUBSTANCE ABUSE**

### 12   **SEC. 301. PRIORITY SUBSTANCE ABUSE TREATMENT NEEDS** 13       **OF REGIONAL AND NATIONAL SIGNIFICANCE.**

14           (a) IN GENERAL.—Section 508 of the Public Health  
 15       Service Act (42 U.S.C. 290bb–1) is amended to read as  
 16       follows:

### 17   **“SEC. 508. PRIORITY SUBSTANCE ABUSE TREATMENT** 18       **NEEDS OF REGIONAL AND NATIONAL SIG-** 19       **NIFICANCE.**

20           “(a) PROJECTS.—The Secretary shall address pri-  
 21       ority substance abuse treatment needs of regional and na-  
 22       tional significance (as determined under subsection (b))  
 23       through the provision of or through assistance for—

1           “(1) knowledge development and application  
 2           projects for treatment and rehabilitation and the  
 3           conduct or support of evaluations of such projects;

4           “(2) training and technical assistance; and

5           “(3) targeted capacity response programs.

6 The Secretary may carry out the activities described in  
 7 this section directly or through grants, contracts, or coop-  
 8 erative agreements with States, political subdivisions of  
 9 States, Indian tribes and tribal organizations, other public  
 10 or nonprofit private entities.

11       “(b) PRIORITY SUBSTANCE ABUSE TREATMENT  
 12 NEEDS.—Priority substance abuse treatment needs of re-  
 13 gional and national significance shall be determined by the  
 14 Secretary after consultation with States and other inter-  
 15 ested groups. The Secretary shall meet with the States  
 16 and interested groups on an annual basis to discuss pro-  
 17 gram priorities.

18       “(c) REQUIREMENTS.—

19           “(1) IN GENERAL.—Recipients of grants, con-  
 20 tracts, or cooperative agreements under this section  
 21 shall comply with information and application re-  
 22 quirements determined appropriate by the Secretary.

23           “(2) DURATION OF AWARD.—With respect to a  
 24 grant, contract, or cooperative agreement awarded  
 25 under this section, the period during which pay-

1       ments under such award are made to the recipient  
2       may not exceed 5 years.

3               “(3) MATCHING FUNDS.—The Secretary may,  
4       for projects carried out under subsection (a), require  
5       that entities that apply for grants, contracts, or co-  
6       operative agreements under that project provide  
7       non-Federal matching funds, as determined appro-  
8       priate by the Secretary, to ensure the institutional  
9       commitment of the entity to the projects funded  
10      under the grant, contract, or cooperative agreement.  
11      Such non-Federal matching funds may be provided  
12      directly or through donations from public or private  
13      entities and may be in cash or in kind, fairly evalu-  
14      ated, including plant, equipment, or services.

15             “(4) MAINTENANCE OF EFFORT.—With respect  
16      to activities for which a grant, contract, or coopera-  
17      tive agreement is awarded under this section, the  
18      Secretary may require that recipients for specific  
19      projects under subsection (a) agree to maintain ex-  
20      penditures of non-Federal amounts for such activi-  
21      ties at a level that is not less than the level of such  
22      expenditures maintained by the entity for the fiscal  
23      year preceding the fiscal year for which the entity  
24      receives such a grant, contract, or cooperative agree-  
25      ment.

1       “(d) EVALUATION.—The Secretary shall evaluate  
 2 each project carried out under subsection (a)(1) and shall  
 3 disseminate the findings with respect to each such evalua-  
 4 tion to appropriate public and private entities.

5       “(e) INFORMATION AND EDUCATION.—The Secretary  
 6 shall establish comprehensive information and education  
 7 programs to disseminate and apply the findings of the  
 8 knowledge development and application, training and tech-  
 9 nical assistance programs, and targeted capacity response  
 10 programs under this section to the general public, to  
 11 health professionals and other interested groups. The Sec-  
 12 retary shall make every effort to provide linkages between  
 13 the findings of supported projects and State agencies re-  
 14 sponsible for carrying out substance abuse prevention and  
 15 treatment programs.

16       “(f) AUTHORIZATION OF APPROPRIATION.—There  
 17 are authorized to be appropriated to carry out this section,  
 18 \$300,000,000 for fiscal year 2000 and such sums as may  
 19 be necessary for each of the fiscal years 2001 and 2002.”.

20       (b) CONFORMING AMENDMENTS.—The following sec-  
 21 tions of the Public Health Service Act are repealed:

- 22               (1) Section 510 (42 U.S.C. 290bb–3).
- 23               (2) Section 511 (42 U.S.C. 290bb–4).
- 24               (3) Section 512 (42 U.S.C. 290bb–5).
- 25               (4) Section 571 (42 U.S.C. 290gg).



1 **SEC. 302. PRIORITY SUBSTANCE ABUSE PREVENTION**  
 2 **NEEDS OF REGIONAL AND NATIONAL SIG-**  
 3 **NIFICANCE.**

4 (a) IN GENERAL.—Section 516 of the Public Health  
 5 Service Act (42 U.S.C. 290bb–1) is amended to read as  
 6 follows:

7 **“SEC. 516. PRIORITY SUBSTANCE ABUSE PREVENTION**  
 8 **NEEDS OF REGIONAL AND NATIONAL SIG-**  
 9 **NIFICANCE.**

10 “(a) PROJECTS.—The Secretary shall address pri-  
 11 ority substance abuse prevention needs of regional and na-  
 12 tional significance (as determined under subsection (b))  
 13 through the provision of or through assistance for—

14 “(1) knowledge development and application  
 15 projects for prevention and the conduct or support  
 16 of evaluations of such projects;

17 “(2) training and technical assistance; and

18 “(3) targeted capacity response programs.

19 The Secretary may carry out the activities described in  
 20 this section directly or through grants, contracts, or coop-  
 21 erative agreements with States, political subdivisions of  
 22 States, Indian tribes and tribal organizations, or other  
 23 public or nonprofit private entities.

24 “(b) PRIORITY SUBSTANCE ABUSE PREVENTION  
 25 NEEDS.—Priority substance abuse prevention needs of re-  
 26 gional and national significance shall be determined by the

1 Secretary in consultation with the States and other inter-  
 2 ested groups. The Secretary shall meet with the States  
 3 and interested groups on an annual basis to discuss pro-  
 4 gram priorities.

5 “(c) REQUIREMENTS.—

6 “(1) IN GENERAL.—Recipients of grants, con-  
 7 tracts, and cooperative agreements under this sec-  
 8 tion shall comply with information and application  
 9 requirements determined appropriate by the Sec-  
 10 retary.

11 “(2) DURATION OF AWARD.—With respect to a  
 12 grant, contract, or cooperative agreement awarded  
 13 under this section, the period during which pay-  
 14 ments under such award are made to the recipient  
 15 may not exceed 5 years.

16 “(3) MATCHING FUNDS.—The Secretary may,  
 17 for projects carried out under subsection (a), require  
 18 that entities that apply for grants, contracts, or co-  
 19 operative agreements under that project provide  
 20 non-Federal matching funds, as determined appro-  
 21 priate by the Secretary, to ensure the institutional  
 22 commitment of the entity to the projects funded  
 23 under the grant, contract, or cooperative agreement.  
 24 Such non-Federal matching funds may be provided  
 25 directly or through donations from public or private

1 entities and may be in cash or in kind, fairly evalu-  
2 ated, including plant, equipment, or services.

3 “(4) MAINTENANCE OF EFFORT.—With respect  
4 to activities for which a grant, contract, or coopera-  
5 tive agreement is awarded under this section, the  
6 Secretary may require that recipients for specific  
7 projects under subsection (a) agree to maintain ex-  
8 penditures of non-Federal amounts for such activi-  
9 ties at a level that is not less than the level of such  
10 expenditures maintained by the entity for the fiscal  
11 year preceding the fiscal year for which the entity  
12 receives such a grant, contract, or cooperative agree-  
13 ment.

14 “(d) EVALUATION.—The Secretary shall evaluate  
15 each project carried out under subsection (a)(1) and shall  
16 disseminate the findings with respect to each such evalua-  
17 tion to appropriate public and private entities.

18 “(e) INFORMATION AND EDUCATION.—The Secretary  
19 shall establish comprehensive information and education  
20 programs to disseminate the findings of the knowledge de-  
21 velopment and application, training and technical assist-  
22 ance programs, and targeted capacity response programs  
23 under this section to the general public and to health pro-  
24 fessionals. The Secretary shall make every effort to pro-  
25 vide linkages between the findings of supported projects

1 and State agencies responsible for carrying out substance  
2 abuse prevention and treatment programs.

3 “(f) AUTHORIZATION OF APPROPRIATION.—There  
4 are authorized to be appropriated to carry out this section,  
5 \$300,000,000 for fiscal year 2000, and such sums as may  
6 be necessary for each of the fiscal years 2001 and 2002.”.

7 (b) CONFORMING AMENDMENTS.—Section 518 of the  
8 Public Health Service Act (42 U.S.C. 290bb–24) is re-  
9 pealed.

10 **SEC. 303. SUBSTANCE ABUSE PREVENTION AND TREAT-**  
11 **MENT PERFORMANCE PARTNERSHIP BLOCK**  
12 **GRANT.**

13 (a) ALLOCATION REGARDING ALCOHOL AND OTHER  
14 DRUGS.—Section 1922 of the Public Health Service Act  
15 (42 U.S.C. 300x–22) is amended by—

16 (1) striking subsection (a); and

17 (2) redesignating subsections (b) and (c) as  
18 subsections (a) and (b).

19 (b) GROUP HOMES FOR RECOVERING SUBSTANCE  
20 ABUSERS.—Section 1925(a) of the Public Health Service  
21 Act (42 U.S.C. 300x–25(a)) is amended by striking “For  
22 fiscal year 1993” and all that follows through the colon  
23 and inserting the following: “A State, using funds avail-  
24 able under section 1921, may establish and maintain the  
25 ongoing operation of a revolving fund in accordance with

1 this section to support group homes for recovering sub-  
 2 stance abusers as follows:”.

3 (c) MAINTENANCE OF EFFORT.—Section 1930 of the  
 4 Public Health Service Act (42 U.S.C. 300x–30) is  
 5 amended—

6 (1) by redesignating subsections (b) and (c) as  
 7 subsections (c) and (d) respectively; and

8 (2) by inserting after subsection (a), the fol-  
 9 lowing:

10 “(b) EXCLUSION OF CERTAIN FUNDS.—The Sec-  
 11 retary may exclude from the aggregate State expenditures  
 12 under subsection (a), funds appropriated to the principle  
 13 agency for authorized activities which are of a non-recur-  
 14 ring nature and for a specific purpose.”.

15 (d) APPLICATIONS FOR GRANTS.—Section  
 16 1932(a)(1) of the Public Health Service Act (42 U.S.C.  
 17 300x–32(a)(1)) is amended to read as follows:

18 “(1) the application is received by the Secretary  
 19 not later than September 1 of the fiscal year prior  
 20 to the fiscal year for which the State is seeking  
 21 funds;”.

22 (e) WAIVER FOR TERRITORIES.—Section 1932(c) of  
 23 the Public Health Service Act (42 U.S.C. 300x–32(c)) is  
 24 amended by striking “whose allotment under section 1921

1 for the fiscal year is the amount specified in section  
 2 1933(c)(2)(B)” and inserting “except Puerto Rico”.

3 (f) WAIVER AUTHORITY FOR CERTAIN REQUIRE-  
 4 MENTS.—

5 (1) IN GENERAL.—Section 1932 of the Public  
 6 Health Service Act (42 U.S.C. 300x–32) is amended  
 7 by adding at the end the following:

8 “(e) WAIVER AUTHORITY FOR CERTAIN REQUIRE-  
 9 MENTS.—

10 “(1) IN GENERAL.—Upon the request of a  
 11 State, the Secretary may waive the requirements of  
 12 all or part of the sections described in paragraph (2)  
 13 using objective criteria established by the Secretary  
 14 by regulation after consultation with the States and  
 15 other interested parties including consumers and  
 16 providers.

17 “(2) SECTIONS.—The sections described in  
 18 paragraph (1) are sections 1922(c), 1923, 1924 and  
 19 1928.

20 “(3) DATE CERTAIN FOR ACTING UPON RE-  
 21 QUEST.—The Secretary shall approve or deny a re-  
 22 quest for a waiver under paragraph (1) and inform  
 23 the State of that decision not later than 120 days  
 24 after the date on which the request and all the infor-  
 25 mation needed to support the request are submitted.

1           “(4) ANNUAL REPORTING REQUIREMENT.—The  
 2       Secretary shall annually report to the general public  
 3       on the States that receive a waiver under this sub-  
 4       section.”.

5           (2) CONFORMING AMENDMENTS.—Effective  
 6       upon the publication of the regulations developed in  
 7       accordance with section 1932(e)(1) of the Public  
 8       Health Service Act (42 U.S.C. 300x–32(d))—

9           (A) section 1922(c) of the Public Health  
 10       Service Act (42 U.S.C. 300x–22(c)) is amended  
 11       by—

12           (i) striking paragraph (2); and

13           (ii) redesignating paragraph (3) as  
 14       paragraph (2); and

15           (B) section 1928(d) of the Public Health  
 16       Service Act (42 U.S.C. 300x–28(d)) is repealed.

17       (g) AUTHORIZATION OF APPROPRIATION.—Section  
 18       1935 of the Public Health Service Act (42 U.S.C. 300x–  
 19       35) is amended—

20           (1) in subsection (a), by striking  
 21       “\$1,500,000,000” and all that follows through the  
 22       end and inserting “\$2,000,000,000 for fiscal year  
 23       2000, and such sums as may be necessary for each  
 24       of the fiscal years 2001 and 2002.”;

1           (2) in subsection (b)(1), by striking “section  
2       505” and inserting “sections 505 and 1971”;

3           (3) in subsection (b)(2), by striking “1949(a)”  
4       and inserting “1948(a)”; and

5           (4) in subsection (b), by adding at the end the  
6       following:

7           “(3) CORE DATA SET.—A State that receives a  
8       new grant, contract, or cooperative agreement from  
9       amounts available to the Secretary under paragraph  
10      (1), for the purposes of improving the data collec-  
11      tion, analysis and reporting capabilities of the State,  
12      shall be required, as a condition of receipt of funds,  
13      to collect, analyze, and report to the Secretary for  
14      each fiscal year subsequent to receiving such funds  
15      a core data set to be determined by the Secretary in  
16      conjunction with the States.”.

17 **SEC. 304. DETERMINATION OF ALLOTMENTS.**

18       Section 1933(b) of the Public Health Service Act (42  
19 U.S.C. 300x–33(b)) is amended to read as follows:

20       “(b) MINIMUM ALLOTMENTS FOR STATES.—

21           “(1) IN GENERAL.—With respect to fiscal year  
22      2000, and each subsequent fiscal year, the amount  
23      of the allotment of a State under section 1921 shall  
24      not be less than the amount the State received  
25      under such section for the previous fiscal year in-



1        creased by an amount equal to 30.65 percent of the  
 2        percentage by which the aggregate amount allotted  
 3        to all States for such fiscal year exceeds the aggre-  
 4        gate amount allotted to all States for the previous  
 5        fiscal year.

6            “(2) LIMITATIONS.—

7            “(A) IN GENERAL.—Except as provided in  
 8        subparagraph (B), a State shall not receive an  
 9        allotment under section 1921 for a fiscal year  
 10       in an amount that is less than an amount equal  
 11       to 0.375 percent of the amount appropriated  
 12       under section 1935(a) for such fiscal year.

13           “(B) EXCEPTION.—In applying subpara-  
 14       graph (A), the Secretary shall ensure that no  
 15       State receives an increase in its allotment under  
 16       section 1921 for a fiscal year (as compared to  
 17       the amount allotted to the State in the prior  
 18       fiscal year) that is in excess of an amount equal  
 19       to 300 percent of the percentage by which the  
 20       amount appropriated under section 1935(a) for  
 21       such fiscal year exceeds the amount appro-  
 22       priated for the prior fiscal year.

23           “(3) DECREASE IN OR EQUAL APPROPRIA-  
 24       TIONS.—If the amount appropriated under section  
 25       1935(a) for a fiscal year is equal to or less than the

1 amount appropriated under such section for the  
 2 prior fiscal year, the amount of the State allotment  
 3 under section 1921 shall be equal to the amount  
 4 that the State received under section 1921 in the  
 5 prior fiscal year decreased by the percentage by  
 6 which the amount appropriated for such fiscal year  
 7 is less than the amount appropriated or such section  
 8 for the prior fiscal year.”.

9 **TITLE IV—PROVISIONS RELAT-**  
 10 **ING TO FLEXIBILITY AND AC-**  
 11 **COUNTABILITY**

12 **SEC. 401. GENERAL AUTHORITIES AND PEER REVIEW.**

13 (a) GENERAL AUTHORITIES.—Paragraph (1) of sec-  
 14 tion 501(e) of the Public Health Service Act (42 U.S.C.  
 15 290aa(e)) is amended to read as follows:

16 “(1) IN GENERAL.—There may be in the Ad-  
 17 ministration an Associate Administrator for Alcohol  
 18 Prevention and Treatment Policy to whom the Ad-  
 19 ministrator may delegate the functions of promoting,  
 20 monitoring, and evaluating service programs for the  
 21 prevention and treatment of alcoholism and alcohol  
 22 abuse within the Center for Substance Abuse Pre-  
 23 vention, the Center for Substance Abuse Treatment  
 24 and the Center for Mental Health Services, and co-  
 25 ordinating such programs among the Centers, and

1 among the Centers and other public and private en-  
2 tities. The Associate Administrator also may ensure  
3 that alcohol prevention, education, and policy strate-  
4 gies are integrated into all programs of the Centers  
5 that address substance abuse prevention, education,  
6 and policy, and that the Center for Substance Abuse  
7 Prevention addresses the Healthy People 2010 goals  
8 and the National Dietary Guidelines of the Depart-  
9 ment of Health and Human Services and the De-  
10 partment of Agriculture related to alcohol consump-  
11 tion.”.

12 (b) PEER REVIEW.—Section 504 of the Public  
13 Health Service (42 U.S.C. 290aa–3) is amended as fol-  
14 lows:

15 **“SEC. 504. PEER REVIEW.**

16 “(a) IN GENERAL.—The Secretary, after consulta-  
17 tion with the Administrator, shall require appropriate peer  
18 review of grants, cooperative agreements, and contracts to  
19 be administered through the agency which exceed the sim-  
20 ple acquisition threshold as defined in section 4(11) of the  
21 Office of Federal Procurement Policy Act.

22 “(b) MEMBERS.—The members of any peer review  
23 group established under subsection (a) shall be individuals  
24 who by virtue of their training or experience are eminently  
25 qualified to perform the review functions of the group. Not

1 more than  $\frac{1}{4}$  of the members of any such peer review  
 2 group shall be officers or employees of the United States.

3 “(c) ADVISORY COUNCIL REVIEW.—If the direct cost  
 4 of a grant or cooperative agreement (described in sub-  
 5 section (a)) exceeds the simple acquisition threshold as de-  
 6 fined by section 4(11) of the Office of Federal Procure-  
 7 ment Policy Act, the Secretary may make such a grant  
 8 or cooperative agreement only if such grant or cooperative  
 9 agreement is recommended—

10 “(1) after peer review required under sub-  
 11 section (a); and

12 “(2) by the appropriate advisory council.

13 “(d) CONDITIONS.—The Secretary may establish lim-  
 14 ited exceptions to the limitations contained in this section  
 15 regarding participation of Federal employees and advisory  
 16 council approval. The circumstances under which the Sec-  
 17 retary may make such an exception shall be made public.”.

18 **SEC. 402. ADVISORY COUNCILS.**

19 Section 502(e) of the Public Health Service Act (42  
 20 U.S.C. 290aa–1(e)) is amended in the first sentence by  
 21 striking “3 times” and inserting “2 times”.

1 **SEC. 403. GENERAL PROVISIONS FOR THE PERFORMANCE**  
 2 **PARTNERSHIP BLOCK GRANTS.**

3 (a) PLANS FOR PERFORMANCE PARTNERSHIPS.—  
 4 Section 1949 of the Public Health Service Act (42 U.S.C.  
 5 300x–59) is amended as follows:

6 **“SEC. 1949. PLANS FOR PERFORMANCE PARTNERSHIPS.**

7 “(a) DEVELOPMENT.—The Secretary in conjunction  
 8 with States and other interested groups shall develop sepa-  
 9 rate plans for the programs authorized under subparts I  
 10 and II for creating more flexibility for States and account-  
 11 ability based on outcome and other performance measures.  
 12 The plans shall each include—

13 “(1) a description of the flexibility that would  
 14 be given to the States under the plan;

15 “(2) the common set of performance measures  
 16 that would be used for accountability, including  
 17 measures that would be used for the program under  
 18 subpart II for pregnant addicts, HIV transmission,  
 19 tuberculosis, and those with a co-occurring sub-  
 20 stance abuse and mental disorders, and for pro-  
 21 grams under subpart I for children with serious  
 22 emotional disturbance and adults with serious men-  
 23 tal illness and for individuals with co-occurring men-  
 24 tal health and substance abuse disorders;

25 “(3) the definitions for the data elements to be  
 26 used under the plan;

6 “(6) an implementation strategy complete with  
7 recommendations for any necessary legislation.

14 “(c) INFORMATION.—As the elements of the plans de-  
15 scribed in subsection (a) are developed, States are encour-  
16 aged to provide information to the Secretary on a vol-  
17 untary basis.”.

21 "SEC. 1952. AVAILABILITY TO STATES OF GRANT PAY-  
22 MENTS.

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1 expenditure until the end of the fiscal year following the  
 2 fiscal year for which the amounts were paid.”.

3 **SEC. 404. DATA INFRASTRUCTURE PROJECTS.**

4 Part C of title XIX of the Public Health Service Act  
 5 (42 U.S.C. 300y et seq.) is amended—

6 (1) by striking the headings for part C and sub-  
 7 part I and inserting the following:

8 **“PART C—CERTAIN PROGRAMS REGARDING**  
 9 **MENTAL HEALTH AND SUBSTANCE ABUSE**

10 **“Subpart I—Data Infrastructure Development”;**

11 (2) by striking section 1971 (42 U.S.C. 300y)  
 12 and inserting the following:

13 **“SEC. 1971. DATA INFRASTRUCTURE DEVELOPMENT.**

14 “(a) IN GENERAL.—The Secretary may make grants  
 15 to, and enter into contracts or cooperative agreements  
 16 with States for the purpose of developing and operating  
 17 mental health or substance abuse data collection, analysis,  
 18 and reporting systems with regard to performance meas-  
 19 ures including capacity, process, and outcomes measures.

20 “(b) PROJECTS.—The Secretary shall establish cri-  
 21 teria to ensure that assistance will be available under this  
 22 section to States that have a fundamental basis for the  
 23 collection, analysis, and reporting of mental health and  
 24 substance abuse performance measures and States that do  
 25 not have such basis. The Secretary will establish criteria

1 for determining whether a State has a fundamental basis  
 2 for the collection, analysis, and reporting of data.

3 “(c) CONDITION OF RECEIPT OF FUNDS.—As a con-  
 4 dition of the receipt of an award under this section a State  
 5 shall agree to collect, analyze, and report to the Secretary  
 6 within 2 years of the date of the award on a core set of  
 7 performance measures to be determined by the Secretary  
 8 in conjunction with the States.

9 “(d) DURATION OF SUPPORT.—The period during  
 10 which payments may be made for a project under sub-  
 11 section (a) may be not less than 3 years nor more than  
 12 5 years.

13 “(e) AUTHORIZATION OF APPROPRIATION.—

14 “(1) IN GENERAL.—For the purpose of car-  
 15 rying out this section, there are authorized to be ap-  
 16 propriated such sums as may be necessary for each  
 17 of the fiscal years 2000, 2001 and 2002.

18 “(2) ALLOCATION.—Of the amounts appro-  
 19 priated under paragraph (1) for a fiscal year, 50  
 20 percent shall be expended to support data infrastruc-  
 21 ture development for mental health and 50 percent  
 22 shall be expended to support data infrastructure de-  
 23 velopment for substance abuse.”.



1 **SEC. 405. REPEAL OF OBSOLETE ADDICT REFERRAL PROVI-**  
2 **SIONS.**

3 (a) REPEAL OF OBSOLETE PUBLIC HEALTH SERV-  
4 ICE ACT AUTHORITIES.—Part E of title III (42 U.S.C.  
5 257 et seq.) is repealed.

6 (b) REPEAL OF OBSOLETE NARA AUTHORITIES.—  
7 Titles III and IV of the Narcotic Addict Rehabilitation  
8 Act of 1966 (Public Law 89–793) are repealed.

9 (c) REPEAL OF OBSOLETE TITLE 28 AUTHORI-  
10 TIES.—

11 (1) IN GENERAL.—Chapter 175 of title 28,  
12 United States Code, is repealed.

13 (2) TABLE OF CONTENTS.—The table of con-  
14 tents to part VI of title 28, United States Code, is  
15 amended by striking the items relating to chapter  
16 175.

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